

**REMARKS**

Claims 1-9, 12 and 15-18 are all the claims pending in the application. By this Amendment, new claims 17 and 18 are added.

Claims 1-9, 12, 15 and 16 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mendiola et al. (U.S. Patent Publication No. 2002/0006803A1; hereinafter “Mendiola”).

Applicant submits the following in traversal of the claim rejections.

Applicant respectfully submits that claim 1 is patentable because Mendiola fails to disclose or suggest each and every element of the claim. Claim 1 recites:

A method of performing an Internet protocol (IP)-based communication between wireless terminals, the method comprising the steps of:

(a) receiving a request for an IP address of a second terminal from a first terminal;

(b) upon receipt of the request, checking whether an IP address corresponding to the second terminal is registered; and

(c) if the IP address is not registered, assigning an IP address to the second terminal corresponding to information from an IP address server,

wherein the first terminal is a first wireless terminal and the second terminal is a second wireless terminal

For example, Mendiola fails to disclose or suggest any of the steps recited in the claim, such as receiving a request for an IP address of a second terminal from a first terminal. In the

Office Action, the Examiner cites paragraph 111 of Mendiola as allegedly disclosing this aspect of the claim. In the cited paragraph, Mendiola discloses the use of a Unique Identification Number (“UIN”) “as the primary means of addressing messages . . . between two client types.” Not only is the UIN described as being generated from the GSM mobile phone number, there is nothing in the specification which mentions or suggests that the UIN is an IP address. See paragraph 61. Although Mendiola discloses generating an email address for a user by prepending the UIN to a domain name, an email address is still not an IP address of a terminal, as recited in the claim.

Applicant submits that the teachings of Mendiola are described on page 2 of the Applicant’s specification which points out the differences between non-IP address based communication (Mendiola) and IP address based communication (present invention). See page 2, lines 11-20.

Therefore, Mendiola cannot possibly disclose or even suggest any of the steps recited in claim 1.

For at least the above reasons, claim 1 is patentable.

Similarly, claims 7 and 8 are patentable for at least the reasons submitted for claim 1.

Claims 2-6, which depend from claim 1, claims 15 and 16, which depend from claim 7, and claims 9 and 12, which depend from claim 8, are patentable for at least the reasons submitted for their respective base claims.

New claims 17 and 18, which ultimately depend from claim 1, are patentable for at least the reasons submitted for claim 1.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. APPLN. NO.: 09/774,008

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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**23373**

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